

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ABEL HELB,

v.

ANGELA HOOVER, et al.

Defendants

3:20-CV-1008  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 17th DAY OF SEPTEMBER, 2020, upon review of

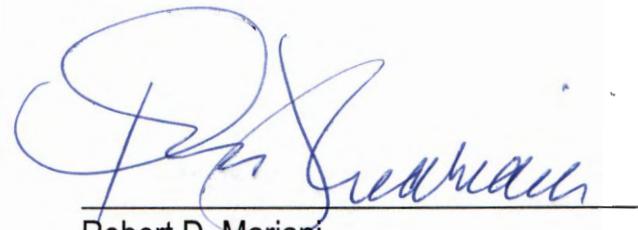
Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 8) for clear error or manifest injustice,<sup>1</sup> **IT IS HEREBY ORDERED THAT** the R&R (Doc. 8) is **ADOPTED** for the reasons set forth therein, subject to the following:

1. Although the Court fully agrees with the R&R's reasoning and legal conclusions, Plaintiff's "Motion for Release or Bail, 28 U.S.C. § 2241" (Doc. 9), filed in response to the R&R, and which is accompanied by a check for \$5.00 (see *id.* at 4), represents an attempt, albeit insufficient, to comply with Judge Carlson's Orders (Docs. 5, 7) and Plaintiff will therefore be afforded an opportunity to remedy the deficiencies noted in the R&R.

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<sup>1</sup> Following the filing of Magistrate Judge Carlson's R&R (Doc. 8), Plaintiff filed a "Motion for Release or Bail, 28 U.S.C. § 2241" (Doc. 9). Although the Court deems this as a response to the R&R, the document does not consist of objections thereto, but rather is liberally construed by this Court as an attempt to correct the defects set forth in the R&R.

2. Within **21 days** of the date of this Order, Plaintiff Helb shall fully pay the filing fee prescribed by law or submit a motion for leave to proceed *in forma pauperis* and shall submit a complaint to the court describing his specific claims. Failure to comply with this Order will result in the dismissal of this action pursuant to Fed. R. Civ. P. 41.
3. The case is **REMANDED** to Magistrate Judge Carlson for further proceedings consistent with this Order.



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Robert D. Mariani  
United States District Judge